

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No. : 10/573,600 Confirmation No.: 6834
Applicant : James Wilson
Filed : March 24, 2006
TC/A.U. : 1633
Examiner : Epps-Smith, Janet L.
Customer No. : 00270
Title : ADENO-ASSOCIATED VIRUS (AAV) CLADES,
SEQUENCES, VECTORS CONTAINING SAME, AND USES
THEREFOR

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Applicant submits to the Examiner the attached document listing and this paper pursuant to 37 CFR § 1.56 and § 1.97-1.98.

This Information Disclosure Statement is submitted concurrently with the filing of a Request for Continued Examination. Therefore, no additional fees are believed due.

The Director is hereby authorized to charge any deficiency in any fees due with the filing of this paper or credit any overpayment in any fees to our Deposit Account Number 08-3040.

REMARKS

In accordance with 37 CFR §1.98(a)(2), Applicants have not enclosed copies of any of the U.S. patents or U.S. patent application publications listed in the attached document listing.

In an effort to submit information for consideration by the USPTO, Applicant submits copies of the following documents relating to corresponding European Patent Application No. 04788580.1: Examination Report dated September 19, 2006; Examination Report dated December 13, 2007; Applicant's Response dated June 23, 2008; Examination Report dated October 20, 2009. Each of the documents cited in the three (3) Examination Reports were cited in the International Search Report in corresponding International Patent Application No. WO 05/033321 and disclosed in an Information Disclosure Statement filed June 23, 2006.

In addition, Applicant submits copies of the following documents relating to corresponding New Zealand Patent Application No. 545628, now Patent No. 545628: Examination Report dated November 9, 2007; Applicant's Response dated January 23, 2009.

Pursuant to 37 CFR 1.98(a)(1), these items are included on the attached form entitled "Other information submitted for consideration by the Office". The enclosed documents are submitted solely in an effort to ensure that the Examiner has an opportunity to consider information that was considered by the European and New Zealand Patent Offices. However, Applicant maintains that the mere submission of this/these document(s) is not an admission that the same is material to patentability (See MPEP 609).

In the event that the Examiner considers the inclusion of the enclosed documents on the attached form inappropriate and strikes out the citation on the form, Applicant requests that the Examiner indicate consideration of the enclosed document(s) in the body of the next paper, i.e., Office Action or Notice of Allowability. Because this information disclosure statement is filed in accordance with the provisions of 37 CFR 1.97-1.98,

Applicant understands that consideration of these documents by the Examiner is required (See MPEP 609).

The Examiner is respectfully requested to consider the documents identified in this paper and in the attached forms during the course of examination of this application.

Respectfully submitted,

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Dated: November 9, 2009

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